

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

ORDER

This matter came before the Court on this date for a Final Pretrial Conference. Defendant was present in person and represented by his attorneys, Assistant Federal Public Defender Mohammed Ahmed (who appeared via Zoom) and Assistant Federal Public Defender Felicia Jones (who appeared in person). Also present in person were Assistant United States Attorneys Kourtney Bell and Rodney Holmes. At the hearing the Court conducted a further *Frye* Hearing and took up argument on all pending motions in limine.

As stated more fully on the record,

IT IS HEREBY ORDERED that the Government's First Motion in Limine to Exclude
Penalty Information [Doc. No. 50] is **GRANTED**, by agreement of the parties.

IT IS FURTHER ORDERED that the Government's Second Motion in Limine to Permit Use of Prior Convictions on Cross Examination [Doc. No. 51] is **GRANTED**.

IT IS FURTHER ORDERED that the Government's Third Motion in Limine to Prohibit Introduction of Defendants Self-Serving Hearsay Statement [Doc. No. 52] is **GRANTED**.

IT IS FURTHER ORDERED that the Government's Fourth Motion in Limine to Permit the Use of 404(b) Evidence [Doc. No. 55] is **GRANTED in part** to allow the introduction of the

September, 2010 conviction, though the Court will give a limiting instruction prior to the introduction of any testimony pertaining to the prior conviction. All other matters addressed in this motion were withdrawn at the hearing by the Government.

IT IS FURTHER ORDERED that Defendant's First Motion in Limine To Prohibit Any Employee Of The State Of Missouri Or Political Subdivision Of The State To Testify To Enforce Federal Firearms Law [Doc. No. 58] is **DENIED**.

IT IS FURTHER ORDERED that Defendant's Second Motion in Limine To Prohibit The Use At Trial Of Any Jail Calls Without A Proper Foundation [Doc. No. 59] is **GRANTED**. The Government states that at this point they do not intend to produce any jail calls. Should that change, the Government will notify the Court and will lay a proper foundation before the introduction of any calls.

IT IS FURTHER ORDERED that the Court will defer ruling on the Defendant's Third Motion in Limine To Exclude Argument That An Acquittal Requires A Finding That The Police Acted Dishonestly [Doc. No. 62] until the close of the evidence.

IT IS FURTHER ORDERED that the parties shall file their Witness Lists no later than **12:00 p.m. on October 29, 2021**.

IT IS FINALLY ORDERED that all parties shall appear at **8:30 a.m. on Monday, November 1, 2021** to take up any final pretrial matters. The Jury Trial will commence at **9:00 a.m.**

Dated this 28th day of October, 2021.


JOHN A. ROSS
UNITED STATES DISTRICT JUDGE